

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

McCORMICK & CO., INC.,

X  
07-CV-7244 (SCR)

Plaintiff,  
-against-

**RULE 7.1 STATEMENT**

KARI-OUT CLUB, LLC,  
t/a KARI-OUT CO.,  
Defendant.

X

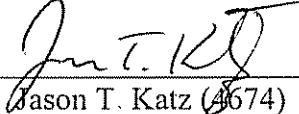
The defendant, PERK UP, INC., s/h/a "KARI-OUT CLUB, LLC, t/a KARI-OUT CLUB, CO.", having filed an initial pleading in the above-captioned matter, makes the following disclosure pursuant to Federal Rule of Civil Procedure 7.1:

That the defendant, PERK UP, INC., s/h/a "KARI-OUT CLUB, LLC, t/a KARI-OUT CO., has no corporate parents or subsidiaries that are publicly held.

Dated: Melville, New York  
October 1, 2007

Yours, etc.,

LEWIS JOHS AVALLONE AVILES, LLP  
Attorneys for Defendant  
425 Broad Hollow Road, Suite 400  
Melville, NY 11747  
631.755.0101

By: 

Jason T. Katz (4674)  
[jtakatz@lewisjohs.com](mailto:jtakatz@lewisjohs.com)

TO:

DLA PIPER US LLP  
1251 Avenue of the Americas  
New York, NY 10020-1104

David H. Berger (pro hac vice motion pending)  
Syma Mirza (not admitted in SDNY)  
DLA Piper USA  
1200 19<sup>th</sup> Street, N.W.  
Washington, DC 20036  
Attorney for Plaintiff  
McCormick & Company

JESSICA COLANGELO, being duly sworn, deposes and says:

That deponent is not a party to the within action, is over 18 years of age and resides in Oceanside, New York.

That on the 1st day of October, 2007, deponent served the within DISCLOSURE OF INTERESTED PARTIES PURSUANT TO FRCP RULE 7.1 upon the attorneys below set forth representing the parties, as indicated, at the addresses shown, said addresses being designated by said attorneys for that purpose:

DLA PIPER US LLP  
1251 Avenue of the Americas  
New York, NY 10020-1104

David H. Berger (pro hac vice motion pending)  
Syma Mirza (not admitted in SDNY)  
DLA Piper USA  
1200 19<sup>th</sup> Street, N.W.  
Washington, DC 20036  
Attorney for Plaintiff  
McCormick & Company

by depositing a true copy of same enclosed in a postpaid properly addressed wrapper in an official depository under the exclusive care and custody of the United States Post Office Department within the State of New York

Jessica Colangelo  
JESSICA COLANGELO

Sworn to before me this  
1st day of October, 2007.

  
LINDA LANSKY  
Notary Public, State of New York  
Registration No. 01LA5078604  
Qualified in Nassau County  
Commission Expires: 05/27/11

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SOUTHERN DISTRICT OF NEW YORK

McCORMICK &amp; CO., INC.,

Plaintiff,

- against -

KARI-OUT CLUB, LLC,

Defendants

***RULE 7.1 STATEMENT*****LEWIS & JOHS**  
Lewis Johs Avallone Aviles, LLP

Counsellors at Law

Attorneys for

*Office and Post Office Address*

425 Broad Hollow Road, Suite 400 • Melville, NY 11747

631.755.0101 • Fax 631.755.0117

FILE #: \_\_\_\_\_

**CERTIFICATION PURSUANT TO 22 N.Y.C.R.R. § 130-1.1a**

The undersigned hereby certifies that, pursuant to 22 N.Y.C.R.R. § 130-1.1a, the contentions contained in the annexed document(s) is not frivolous nor frivolously presented

Service of a copy of the within

is hereby admitted

Dated,

Attorney(s) for

Sir: Please take notice

 NOTICE OF ENTRYthat the within is a (*certified*) true copy of a  
duly entered in the office of the clerk of the within named court on

20

 NOTICE OF SETTLEMENTthat an order  
settlement to the HON.  
of the within named court, atof which the within is a true copy will be presented for  
one of the judges

on 20 at M.

Dated,

Yours, etc

**LEWIS & JOHS**Lewis Johs Avallone Aviles, LLP

Counsellors at Law

To

Attorneys for

Attorney(s) for

*Office and Post Office Address*

425 Broad Hollow Road, Suite 400

Melville, NY 11747